

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICANT : William R. Palmer et al
INVENTION: : FORMABLE, POROUS, CHEMILUMINESCENT
REACTANT COMPOSITION AND DEVICE THEREFOR
SERIAL NUMBER : 10/076,051
FILING DATE : February 12, 2002
EXAMINER: : Irvin Dingle, Petitions Examiner
GROUP ART UNIT :
ATTORNEY DOCKET NO. : 1471.075

PETITION FOR RECONSIDERATION ON DECISION UNDER 37 CFR 1.378(e)

Mail Stop PETITION
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Applicants and the undersigned attorney are in receipt of the Decision on the Petition dated September 19, 2007 for the above matter in which Applicant's Petition has been dismissed because the Petition was not accompanied with the appropriate fees. Applicants and the undersigned attorney herewith submit the following:

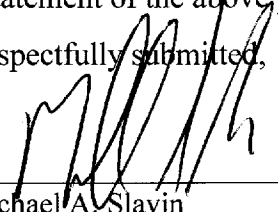
- (a) a copy of the Decision;
- (b) a Petition for Reconsideration under 37 CFR 1.378(e);
- (c) authorization for payment of the appropriate fees in the amount of \$750.00 under 37 CFR 1.17(m)

The Commissioner for Patents is hereby authorized to charge the above noted fees due for the above-identified patent application in the amount of \$750.00 to the undersigned attorney's credit card. Further, the Commissioner for Patents is hereby authorized to charge any deficiency in any fees due with the filing of this paper or credit any overpayments in any fees paid on the filing to the undersigned attorney's credit card.

Having now complied with all of the outstanding requirements, Applicants and the undersigned attorney respectfully request re-instatement of the above patent application.

Respectfully submitted,

Date: Oct 2, 2007



Michael A. Slavin
Reg. No. 34,016
McHale & Slavin, P.A.
2855 PGA Boulevard
Palm Beach Gardens, FL 33410
Telephone: (561) 625-6575



UNITED STATES PATENT AND TRADEMARK OFFICE

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

COPY MAILED

SEP 19 2007

OFFICE OF PETITIONS

MCHALE & SLAVIN, P.A.
2855 PGA BLVD
PALM BEACH GARDENS, FL 33410

In re Application of
William R. Palmer et al
Application No. 10/076,051
Filed: February 12, 2002
Attorney Docket No. 1471.075

ON PETITION

This is a decision on the petition, filed May 19, 2007 under 37 CFR 1.137(b) to revive the above-identified application.

The petition is **DISMISSED**.

Any request for reconsideration of this decision must be submitted within TWO (2) MONTHS from the mail date of this decision. Extensions of time under 37 CFR 1.136(a) are permitted. The reconsideration request should include a cover letter entitled "**Renewed Petition under 37 CFR 1.137(b)**." This is **not** final agency action within the meaning of 5 U.S.C. § 704.

The above-identified application became abandoned for failure to reply in a timely manner to the non-final Office action mailed October 6, 2005, which set a shortened statutory period for reply of three (3) months. No extension of time under the provisions of 37 CFR 1.136(a) were obtained. Accordingly, the above-identified application became abandoned on January 7, 2006.

A grantable petition under 37 CFR 1.137(b) must be accompanied by: (1) the required reply, unless previously filed; (2) the petition fee as set forth in 37 CFR 1.17(m); (3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 CFR 1.137(b) was unintentional; and (4) any terminal disclaimer (and fee as set forth in 37 CFR 1.20(d)) required by 37 CFR 1.137(c). Where there is a question as to whether either the abandonment or the delay in filing a petition under 37 CFR 1.137 was unintentional, the Commissioner may require additional information. See MPEP 711.03(c)(III)(C) and (D). The instant petition lack(s) item(s) (2).

Office record shows the \$750 (small entity) petition fee has not been received. Accordingly, this petition can not be revive until the \$750 petition fee is received.


Further correspondence with respect to this matter should be addressed as follows:

By mail: Mail Stop PETITION
 Commissioner for Patents
 Post Office Box 1450
 Alexandria, VA 22313-1450

By hand: Customer Service Window
 Randolph Building
 401 Dulany Street
 Alexandria, VA 22314

By facsimile: (571) 273-8300
 ATTN: Office of Petitions

Telephone inquiries concerning this decision should be directed to the undersigned at
(571) 272-3210.


Irvin Dingle
Petitions Examiner
Office of Petitions